

Attorney Docket: 043043-0359295

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: H. PETER      Confirmation Number: 7070

VOLLMERS, ET AL.

Application No.: 10/579,290

Group Art Unit: 1643

Filed: July 12, 2006

Examiner: TBA

Title: ADENOCARCINOMA SPECIFIC ANTIBODY SAM-6, AND USES THEREOF

STATEMENT UNDER 37 C.F.R. §1.804(b)

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Frank Hensel, hereby state that the biological material which is deposited is a biological material specifically identified in the application as filed.

Dated: 12 April 2006



Frank Hensel

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Patrys Ltd.  
Level 2, 517 Flinders Lane  
Melbourne, Victoria 3000  
Australia

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITORY AUTHORITY  
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: SAM-6 Hybridoma, 108/98-31-38p41 Klon41	Accession number given by the INTERNATIONAL DEPOSITORY AUTHORITY: DSM ACC2903
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
<p>The microorganism identified under I. above was accompanied by:</p> <p><input type="checkbox"/> a scientific description  <input type="checkbox"/> a proposed taxonomic designation</p> <p>(Mark with a cross where applicable).</p>	
III. RECEIPT AND ACCEPTANCE	
<p>This International Depository Authority accepts the microorganism identified under I. above, which was received by it on 2008-04-03 (Date of the original deposit)<sup>1</sup>.</p>	
IV. RECEIPT OF REQUEST FOR CONVERSION	
<p>The microorganism identified under I. above was received by this International Depository Authority on _____ and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of original deposit) (date of receipt of request)</p>	
V. INTERNATIONAL DEPOSITORY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH  Address: Inhoffenstr. 7 B D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depository Authority or of authorized official(s):   Date: 2008-04-17

<sup>1</sup> Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE



INTERNATIONAL FORM

Patrys Ltd.  
Level 2, 517 Flinders Lane  
Melbourne, Victoria 3000  
Australia

VIABILITY STATEMENT  
issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITORY AUTHORITY  
identified at the bottom of this page

I. DEPOSITOR		II. IDENTIFICATION OF THE MICROORGANISM	
Name: Patrys Ltd. Level 2, 517 Flinders Lane Address: Melbourne, Victoria 3000 Australia		Accession number given by the INTERNATIONAL DEPOSITORY AUTHORITY: DSM ACC2903 Date of the deposit or the transfer <sup>1</sup> : 2008-04-03	
III. VIABILITY STATEMENT			
The viability of the microorganism identified under II above was tested on 2008-04-07 <sup>2</sup> . On that date, the said microorganism was <input checked="" type="checkbox"/> <sup>3</sup> viable <input type="checkbox"/> <sup>4</sup> no longer viable			
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED <sup>4</sup>			
V. INTERNATIONAL DEPOSITORY AUTHORITY			
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Address: Inhoffenstr. 7 B D-38124 Braunschweig		Signature(s) of person(s) having the power to represent the International Depository Authority or of authorized official(s):  Date: 2008-04-17	

<sup>1</sup> Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

<sup>2</sup> In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.

<sup>3</sup> Mark with a cross the applicable box.

<sup>4</sup> Fill in if the information has been requested and if the results of the test were negative.